

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Todd **KREISLER**,

Plaintiff,

v.

**Kais ABID**,

*d/b/a PAPA JOHN'S;*

**KAM FOUR INC**,

*A New York Corporation d/b/a/ Papa John's,*

**PARKER EAST 24TH APARTMENTS LLC**,

*A New York Limited Liability Company;*

**PARKER COMMERCIAL 24TH ASSOCIATES**,

*A New York Limited Partnership,*

**305 EAST 24TH OWNERS CORP.**,

*A New York Corporation*

Defendants.

**12 civ. 4052 (PAE)**

**NOTICE OF MOTION**

TO: Adam Shore, Esq.

Gary Ehrlich, Esq.

John Egan, Esq.

Served via ECF filing

PLEASE TAKE NOTICE that upon the attached Attorney Declaration of Barry N. Frank, Esq. and the attached Motion, Defendant will move this Court, Hon. Paul A. Engelmayer, U.S.D.J. in Room \_\_\_\_\_ United States Courthouse, 500 Pearl Street, New York, New York 1007-1312 on the \_\_\_\_\_ day of April, 2013 at \_\_\_\_\_ or as soon thereafter as counsel can be heard, for dismissal of the Second Amended Complaint or in the alternative for partial Summary Judgment and dismissal as moot with regard to certain causes of action, as set forth in the attached Motion, and all further relief deemed appropriate by the Court.

Dated: Fort Lee, New Jersey  
April 15, 2013

**Law Firm of Barry N. Frank & Associates PC**  
*Attorneys for the Defendant, Kais Abid*

BY: \_\_\_\_\_ /s/ Barry N. Frank, Esq.  
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